

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

20

Application Number

10/633,279

Filing Date

August 1, 2003

First Named Inventor

Clendennen

Art Unit

1632

Examiner Name

Not Known

Attorney Docket Number

EP03-008C

ENCLOSURES (check all that apply)☒ Fee Transmittal Form☒ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
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Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

Exelixis, Inc.

Signature

Printed Name

Terri Sale

Date

January 21, 2005

Reg.
No.

45,066

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Angela F. Law

Date

January 21, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Clendennen, *et al.*

Attorney Docket No.: EP03-008C

Application No.: 10/633,279

Filed: August 1, 2003

For: SEED-ASSOCIATED PROMOTER
SEQUENCES

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, this Information Disclosure Statement is being submitted for the above-referenced application.

Applicant requests the Office to consider this Information Disclosure Statement under 37 C.F.R. §1.97 (b)(2) and states that the information contained in the attached PTO Form 1449 was first cited in the International Search Report (copy attached) from the International Searching Authority in the counterpart PCT application.

In accordance with §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined by 37 CFR §1.56 exists.

In accordance with §1.97(h), the disclosure contained herein is not intended to constitute an admission that any patent, publication, or other information referred to is "prior art" or "analogous art" for this invention.

It is believed that no fees are required, as the disclosure is delivered within three months of the date of entry of the national stage. However, the Commissioner is authorized to charge any required fees, to deposit account no. 50-1108.

Respectfully submitted,

Dated: January 21, 2005

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PTO/SB/08b(08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/633,279
Filing Date	August 1, 2003
First Named Inventor	Clendennen
Art Unit	1632
Examiner Name	Not known
Attorney Docket Number	EP03-008C

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	GARCIA-MAS,J., et al., "Molecular characterization of cDNAs corresponding to genes expressed during almond (Prunus amygdalus Batsch) seed development.", Plant Mol Biol., Jan 1995, 205-10, 27-1.	
	2	SCHUBERT,R., et al., "Tissue-specific expression of an oat 12S seed globulin gene in developing tobacco seeds: differential mRNA and protein accumulation.", Plant Mol Biol., Jun 1994, 203-10, 26.	
	3	GARCIA-MAS,J., et al., "P. amygdalus, Batsch (Texas) prun1 mRNA.", Genbank GI No. 460805 [online], 07-JUL-1995 [retrieved 1/14/05]. Retrieved from the Internet:<URL:http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?CMD=Display&DB=nucleotide>	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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